

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 00-2533

Thomas Waller,

Appellant,

v.

Henry Carol Morris,

Appellee.

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* Appeal from the United States

* District Court for the

* Western District of Arkansas.

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[UNPUBLISHED]

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Submitted: July 28, 2000

Filed: August 1, 2000

Before BEAM, FAGG, and LOKEN, Circuit Judges.

PER CURIAM.

Thomas Waller, an Arkansas inmate, appeals the district court's¹ dismissal under 28 U.S.C. § 1915(e)(2)(B)(i) and (ii) of his 42 U.S.C. § 1983 action against his court-appointed criminal defense attorney, Henry Carol Morris. Having carefully reviewed the record, we agree with the district court that Morris was not a state actor amenable

¹The HONORABLE HARRY F. BARNES, United States District Judge for the Western District of Arkansas, adopting the report and recommendations of the HONORABLE BOBBY E. SHEPHERD, United States Magistrate Judge for the Western District of Arkansas.

to suit under section 1983. See Polk County v. Dodson, 454 U.S. 312, 325 (1981).
Accordingly, we affirm. See 8th Cir. R. 47A(a).

We deny appellant's pending motions.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.